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Question of Palestine

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Madagascar, Malaysia, Mali, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen, Zimbabwe and Palestine: draft resolution

Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted by its tenth emergency special session,

Recalling also its resolution 58/292 of 6 May 2004,

Recalling further relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004,

Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting with concern that it has been fifty-nine years since the adoption of resolution 181 (II) of 29 November 1947 and thirty-nine years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 60/39 of 1 December 2005,[1]

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law,

[1] A/61/355-S/2006/748.

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Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[2] and recalling also its resolution ES-10/15 of 20 July 2004,

Convinced that achieving a just, final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the illegality of the Israeli settlements in the Palestinian territory occupied since 1967,

Reaffirming also the illegality of Israeli actions aimed at changing the status of Jerusalem, including measures such as the so-called E1 plan and all other unilateral measures aimed at altering the status of the city and the territory as a whole,

Reaffirming further that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law,

Deeply concerned about the continued imposition by Israel, the occupying Power, of closures and severe restrictions on the movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, including, inter alia, via the establishment of hundreds of Israeli checkpoints and the transformation of several of these checkpoints into structures akin to permanent border crossings, which are destroying the territorial contiguity of the Territory, causing serious humanitarian hardship and severely undermining efforts to rehabilitate and develop the Palestinian economy,

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[3] and the agreements concluded between the two sides and the need for full compliance with those agreements,

Recalling also the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[4] and stressing the urgent need for its implementation and compliance with its provisions,

Emphasizing the need for the Security Council to take a more active role, in accordance with its authority under the Charter and its responsibility for the maintenance of international peace and security, in the efforts to achieve a peaceful settlement of the question of Palestine,

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[2] See A/ES-10/273 and Corr.1.

[3] See A/48/486-S/26560, annex.

[4] S/2003/529, annex.

Welcoming the important contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including in the framework of the activities of the Quartet,

Welcoming and strongly encouraging the convening of international donor meetings, as well as the establishment of international mechanisms to provide assistance to the Palestinian people, particularly during this critical period of humanitarian hardship and financial crisis being endured by the Palestinian people,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions, and emphasizing the need to preserve the institutions and infrastructure of the Palestinian Authority,

Expressing its concern over the tragic events that have occurred in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, including the large number of deaths and injuries, mostly among Palestinian civilians, the widespread destruction of public and private Palestinian property and infrastructure, the internal displacement of civilians, and the steep deterioration of the socio-economic and humanitarian conditions of the Palestinian people,

Expressing its grave concern over the repeated military actions in the Occupied Palestinian Territory and the reoccupation of Palestinian population centres by the Israeli occupying forces, and emphasizing in this regard the need for the implementation of the Sharm el-Sheikh understandings,

Expressing its grave concern in particular over the large-scale military assaults carried out by Israel, the occupying Power, in recent months in the Gaza Strip, which have caused extensive loss of Palestinian civilian life, including among children,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides, including the suicide bombings, the extrajudicial executions and the excessive use of force,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in revitalizing the peace process towards the resumption and acceleration of direct negotiations between the parties for the achievement of a just and final peace settlement, in accordance with the road map,

Welcoming the initiatives and efforts undertaken by civil society in pursuit of a peaceful settlement of the question of Palestine,

Taking note of the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose

a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

2. *Also reaffirms* its full support for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet;

3. *Welcomes* the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002;[5]

4. *Encourages* the Security Council in particular, in line with its authority and responsibilities under the Charter of the United Nations, to become more active in the efforts towards achieving a peaceful settlement of the question of Palestine and to engage the Quartet in this regard;

5. *Calls upon* the parties themselves, with the support of the Quartet and other concerned parties, to exert all efforts necessary to halt the deterioration of the situation, to reverse all measures taken on the ground since 28 September 2000, and to immediately resume direct peace negotiations towards the conclusion of a final peaceful settlement;

6. *Calls upon* the international community, including the Quartet, to take immediate steps, including confidence-building measures between the parties, aimed at supporting a resumption of peace negotiations and the revival of the peace process;

7. *Stresses* the need for a speedy end to the reoccupation of Palestinian population centres and for the complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

8. *Also stresses* the need for the immediate implementation of the Sharm el-Sheikh understandings;

9. *Calls upon* both parties to fulfil their obligations in respect of the implementation of the road map[4] by taking parallel and reciprocal steps in this regard, and stresses the importance and urgency of establishing a credible and effective third-party monitoring mechanism, including all members of the Quartet;

10. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

11. *Emphasizes* the need for the parties, with the help of the international community, to speedily and fully resolve all remaining issues in the Gaza Strip, including a durable arrangement for the border crossings, the airport, the construction of the seaport, the removal of the rubble and the establishment of a permanent physical link between the Gaza Strip and the West Bank, and also

[5] A/56/1026-S/2002/932, annex II, resolution 14/221.

emphasizes in this regard the need for the implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing;

12. *Demands* that Israel, the occupying Power, comply strictly with its obligations under international law, including international humanitarian law, and that it cease all of its unlawful and unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the character and status of the Territory, including, inter alia, via the de facto annexation of land, and thus at prejudging the final outcome of peace negotiations;

13. *Demands accordingly* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion[2] and as demanded in resolutions ES-10/13 of 21 October 2003 and ES-10/15 of 20 July 2004 and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;

14. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

15. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

16. *Stresses* the need for:

(a) The withdrawal of Israel from the Palestinian Territory occupied since 1967;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

17. *Also stresses* the need for resolving the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

18. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help to alleviate the humanitarian crisis being faced by the Palestinian people, rehabilitate the Palestinian economy and infrastructure, and support the rebuilding, restructuring and reform of Palestinian institutions;

19. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its sixty-second session a report on these efforts and on developments on this matter.